IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO. 7227 OF 2005

Shri. Bharat Pandurang Jadhav. .. .. Applicant

Versus

The State of Maharashtra. .. ..Respondent

Shri. Ujwal Agand Surve, Advocate, for the Applicant.

Smt. S. D. Shinde, A. P. P., for the Respondent-State.

CORAM : S. C.DHARMADHIKARI, J.
DATE : NOVEMBER 16, 2005

P. C.

. After hearing learned Counsel for the applicant and Smt. Shinde, the learned A.P.P. for the State, and after perusing the order dated 27.8.2005 passed by this Court, in my view, considering the averments in paragraph (6) (d), (f), (i) and (j), the applicant deserves to be granted anticipatory bail.

2. Smt. Shinde, the learned A.P.P., submits that the earlier anticipatory bail application was rejected. She also submits that there are about ten or twelve

cases pending against this applicant. There is an apprehension that he will not attend the Police Station. She submits that only when he approaches this Court and the Court grants him protection that he has been attending the Police Station.

3. The aforesaid submissions are countered by Shri. Ujwal Angad Surve by pointing out that despite the earlier application being rejected, the applicant was not taken into custody, but another application is made. He submits that despite the rejection on 6.10.2005 till this Court passed ad-interim order on 27.10.2005, the applicant was not taken into custody. All this, according to him, is despite he being alleged habutual offender and involved in several criminal cases.

4. In my view, considering the fact that the other accused in the case have been enlarged on bail and further that the aforesaid averment not being controverted, the applicant is entitled to be enlarged on bail of Rs. 10,000/= in the event of his arrest in C. R. No. 121/2005. The applicant shall comply with the conditions imposed vide order dated 27.10.2005 and,

in addition, he shall attend the concerned Police Station everyday between 11 A.M. and 2 P.M. until a chargesheet is filed. The criminal application stands disposed of accordingly.

(S. C. Dharamadhikari, J.)